

Speech on the House Floor Concerning the Presidential Vote for Residents of Puerto Rico

May 3, 2005

Congressman Luis G. Fortuño

Tomorrow the United States Court of Appeals for the First Circuit will hear the case of Gregorio Igartua-de la Rosa, et al. v. United States of America. This landmark case deals with the right of U.S. citizens who reside in Puerto Rico to vote for the President and Vice-President of the United States.

The right to vote for those who govern us is a hallmark of the democratic principles on which our Nation was founded. Universal and equal suffrage is not only a core value of this Nation's political system, but has been recognized by the international community as a fundamental civil right. Despite this broad consensus in favor of the right to vote, U.S. citizens who reside in Puerto Rico have, for 88 years, been denied the right to vote for the U.S. Government officials who make and administer the federal laws to which they are subject.

Take special heed of the fact that this discriminatory and anti-democratic state of affairs does not just apply to Puerto Ricans, who are U.S. citizens by virtue of having been born in a U.S. territory, but to any U.S. citizen who becomes a resident of Puerto Rico. To clearly illustrate this point, if President George H. Bush, our 41st. President, had chosen to retire in Puerto Rico instead of Texas, he would not have been able to vote for his son, our current President, George W. Bush. If any of you who are listening to me today, and who are my colleagues in the 109th Congress, elected to move to Puerto Rico after you retire from Congress, you would not be able to vote for the President of the United States.

This "separate and less than equal" class of U.S. citizenship for residents of Puerto Rico has placed the four million U.S. citizens who are residents of Puerto Rico in an indefinite denial of equal national citizenship, particularly at a time of national sacrifice in the cause of global democracy and freedom, where Puerto Ricans have contributed equally, many even making the ultimate sacrifice.

It is not my intention to dictate what the Court of Appeals for the First Circuit will decide. As a lawyer, I have always been respectful of the separation between the legislative and judicial branches of government, but I trust that the Court will do us justice. I invite all of you, fellow Members of this 109th Congress, to monitor the Court's decision because, in so doing, you will be exposed to the fact that the central problem facing the citizens of Puerto Rico is that they have been denied their most basic rights of self-determination, not by court decisions, but by Congressional inaction.

In 1899, the United States first entered into a treaty which provided that the “civil rights and political status” of the residents of Puerto Rico “shall be determined by the Congress”. A full century has passed, but Congress still has not implemented any political resolution procedure that would enable residents of Puerto Rico to determine their form of self-government under a non-colonial, non-territorial alternative.

As most of you know, I am a firm believer in statehood for Puerto Rico, but I fully respect the right of my countrymen to freely choose the status choice of their preference, be it as a State of the Union, an independent republic, or as a republic associated with the United States. The important element has to be that all viable alternatives be non-colonial and non-territorial in nature. Until this process of free self-determination is completed, Congress will not have fully discharged its responsibility.